

REMARKS

The last Office Action has been carefully considered.

It is noted that claim 13-14 and 16-20 and 22-25 are rejected under 35 U.S.C. 102(b) over the patent to Delf.

Claim 21 is rejected under 35 U.S.C. 103(a) over the patent to Delf in view of the patent to Savage.

In connection with the Examiner's grounds for the rejection of the claims, applicants have amended the specification and some claims to more clearly define the present invention.

It is respectfully submitted that in the specification, in particular on page 5, it is defined that the add-on part 10 is joined by positive engagement to the center piece 22 of the slamming element 14. In the original text of the German priority application the positive engagement was defined as "formschlüssig" engagement which should have been correctly translated as "form-locking" engagement. The form-locking engagement is an engagement when at least two parts engage with one another by their

forms or their shapes so that they interlock with one another in direct contact with one another. It is respectfully submitted that since the original German-language text of the application constitutes a part of the original disclosure, the change in the specification to define the positive "form-locking" engagement should be considered as acceptable. Also, the drawings, which are a part of the original disclosure, clearly show that the add-on part 10 is joined to the centerpiece 22 of the slaving element 14 so that the add-on part 10 and the slaving element 14 positively interlock one another in direct contact with one another. This issue was discussed with the Examiner over the telephone. It is therefore respectfully submitted that the amendment of the specification should be considered as acceptable.

Claim 27 has been amended correspondingly.

Turning now to the references applied by the Examiner, and in particular with respect to the rejection of claims 25, 26 and 27, it is respectfully submitted that as for the spring element defined in claim 25, the patent to Delf does not disclose any spring element, which is braced on the slaving element on the one hand and on the add-on part on the other hand. The elements 37, 25 and 36 of the device disclosed in the patent to Delf do not form a spring element. It is respectfully submitted that in the applicant's

opinion the Examiner applied a hindsight consideration which is not suitable for determining a patentability of new features of the invention. For example, the element 37 disclose in the patent to Delf is a washer and it is used with its own functions, in particular, as always, to provide spacing between the corresponding elements. However, the washer 37 does not have any functions of providing a spring action and therefore can not be considered as a spring element or a part of the spring element. If one considers that the patent to Delf does disclose a spring element, which is very doubtful, then only the element 36 can be considered as performing the function of the spring element. However, the element 36 does not brace on the one hand against a slaving element and on the other hand against an add-on part.

Claim 25 specifically defines that the spring element 16 is braced on the slaving element 14 and on the add-on part 10 and thus axially fixes the add-on part 10 on the drive shaft 12, and also directly abuts against the slaving element 14 and against the add-on part. The patent to Delf does not teach the new features of the present invention as defined in claim 25.

With respect to the Examiner's rejection of claim 26, the elements which the Examiner combined to allegedly define the spring element can not be considered to be parts of a spring element or interpreted

separately as a spring element, as explained in detail herein above. In the washer can not be considered as a spring element in any situation. Moreover, claim 25 defines a one-piece spring element. Such a spring element is not disclosed in the patent to Delf. The patent to Delf it is specifically emphasized that no direct vibration contact must be provided between the slaving element and the add-on part. When the spring element as defined in claim 26 is formed as a one-piece spring element, it immediately and directly provides a vibration bridge between the slaving element 14 and the add-on part 10, which completely contradicts the basic concept of the patent to Delf. The patent to Delf can not provide any hint or suggestion for the new features of present invention as defined in claim 26.

Claim 27 specifically defines that the add-on part 10 has a positive engagement with the slaving element which is additionally defined as a form-locking engagement of these two parts in direct contact with one another, as explained above with respect to the changes to the specification. The patent to Delf does not disclose any construction in which a positive form-locking engagement of the slaving element with the add-on part is provided. As can be seen from Figure 2 of this reference, the elastic element 31 is arranged in a radial direction between the slaving element 4 and the add-on part 14.

In the patent to Delf it is especially emphasizes that no direct vibration contact between the slaving element and the add-on part must be performed. However, in contrast to this, a positive form-locking engagement between the two parts would definitely provide such a direct vibration contact. A positive form-locking connection of the slaving element and the add-on part in contact with one another is not disclosed in the patent to Delf and can not be derived from it as a matter of obviousness. Moreover, such a positive form-locking engagement in direct contact with one another definitely would not suppress the vibration transmission, which is the objective of the patent to Delf.

The patent to Delf does not teach the new features of the present invention as defined in claim 27 and they can not be derived from it as a matter of obviousness.

Thus, it is believed to be clear that the patent to Delf does not disclose the new features of the present invention and they can not be derived from them as a matter of obviousness. In particular this reference does not teach and does not obviate the following features:

- a spring element, in particular a one-piece spring element;

- an element which braces on the one hand against the slaving element and braces on the other hand against the add-on part and in this way provides an axial fixation of the add-on part;
- a positive form-locking connection of the add-on part with the slaving element in contact with one another so that the add-on part embraces the slaving element form-lockingly in contact with it.


It is therefore respectfully submitted that the new features of the present invention as defined in claims 25, 26, and 27 should be considered as patentably distinguishing the present invention from the prior art and therefore these claims should be allowed.

Claim 13 which defines that the device has a spring element which is braced directly on the slaving element and on the add on part thus axially fixing the add-on part of the drive shaft should also be considered as patentably distinguishing over the art and should be allowed, together with the dependent claims.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,



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